

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)**

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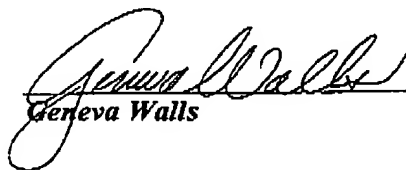
**MAILING**

☐: *deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.*

**FACSIMILE**

☒: *transmitted by facsimile to (703) 746-7238 at the U.S. Patent and Trademark Office.*

Date: December 12, 2003

  
Geneva Walls

12/12/03

Date

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$) 950.00

## Complete if Known

Application Number 09/441,388  
Filing Date November 16, 1999  
First Named Inventor Matthew Ackley  
Examiner Name Detwiler, Brian J.  
Group/Art Unit 2173  
Attorney Docket No. 3801P162

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☒ Deposit Account

Deposit Account Number 02-2666

Deposit Account Name Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$)	

### 2. EXTRA CLAIM FEES

Total Claims  = 20 =  X  =  Fee Paid  
Independent Claims  = 3 =  X  =   
Multiple Dependent

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	88	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple Dependent claim, if not paid	
1204	88	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)				(\$)	

\*or number previously paid, if greater. For Reissues, see below

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920 *	1804	920 *	Requesting publication of SIR prior to Examiner action	
1805	1,840 *	1805	1,840 *	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	950.00
1254	1,480	2254	740	Extension for reply within fourth month	
1255	1,210	2255	605	Extension for reply within fifth month	
1404	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(a)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
SUBTOTAL (3)				(\$)	950.00

\* Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Name (Print/Type) André L. Marais

Signature

Registration No. (Attorney/Agent)

48,095

Telephone

(408) 947-8200

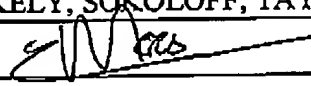
Date

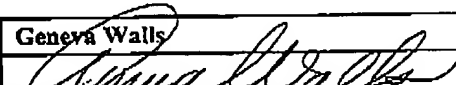
12/02/03

Based on PTO/SB/17 (08-03) as modified by Blakely, Sokoloff, Taylor & Zafman (w/ 08/11/2003).  
SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application No.	09/441,388
		Filing Date	November 16, 1999
		First Named Inventor	Matthew Ackley
		Art Unit	2173
		Examiner Name	Detwiler, Brian J.
Total Number of Pages in This Submission	11	Attorney Docket Number	3801P162

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Request for Refund	
	<input type="checkbox"/> CD, Number of CD(s)	
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	André L. Marais, Reg. No. 48,095 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	12/12/03

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Typed or printed name	Geneva Walls	Date	December 12, 2003
Signature			

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BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

**TELEPHONE: (408) 947-8200**

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# FACSIMILE COVER SHEET

Deliver to: Detwiler, Brian J., USPTO

Art Group: 2173

Facsimile No.: (703) 746-7238

Date: December 12, 2003

From: André L. Marais, Reg. No. 48,095

Our Docket No.: 3801P162

Number of pages 11; including this sheet.

Application No.: 09/441,388

Filing Date: 11/16/1999

**Docket Due Date(s):** 12/23/2003

**Enclosed are the following documents:**

- ☒ Amendment: After Final

☐ Appeal Brief (in triplicate) ( \_\_\_\_ pgs)

☐ Application: \_\_\_\_\_  
( \_\_\_\_ pgs) w/cover & abstract

☐ Assignment & Cover Sheet ( \_\_\_\_ pgs)

☒ Certificate of Facsimile

☐ Continued Prosecution Application (CPA)

☐ Declaration & POA ( \_\_\_\_ pgs)

☐ Drawings: \_\_\_\_ sheets, \_\_\_\_ figures

☒ Extension of Time: three (3) months

☒ Fee Transmittal (in duplicate)

☐ IDS & PTO/SB/08 ( \_\_\_\_ pgs)

☐ Other \_\_\_\_\_

☐ Issue Fee Transmittal

☐ Notice of Appeal

☐ Petition for: \_\_\_\_\_

☐ Request for Continued Examination (RCE)

☐ Reply Brief ( \_\_\_\_ pgs)

☐ Request & Certification Under 35 USC 122(b)(2)(B)(i)

☐ Request to Rescind Previous Nonpublication Request

☐ Response to Notice of Missing Parts & Formalities Letter

☐ Response to Written Opinion ( \_\_\_\_ pgs)


☐ Terminal Disclaimer

☐ Transmittal of Publication Fee Due

☒ Transmittal Letter

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Date 12/12/2003

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- EXPEDITED PROCEDURE -  
EXAMINING GROUP 2173Patent

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Confirmation No.: 4261

Application No.: 09/441,388

Inventor(s): Matthew Ackley, et al.

Filed: November 16, 1999

Art Unit: 2173

Examiner: Detwiler, Brian J.

Docket No.: 3801P162

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December 12, 2003Mail Stop AF  
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Alexandria, VA 22313-1450

## AMENDMENT

Sir:

In response to the Final Office Action of June 23, 2003, please consider the case in light  
of the following remarks.12/23/2003 BHILLIAR 00000001 022666 09441388  
Remarks/Arguments begin on page 2.  
01 FC:1253 950.00 DA